

B. Amendments to the Claims

22. (Currently Amended) A smart card system, comprising:
an optical transceiver;
an electronic processor in communication with the optical transceiver; ~~and~~
a first antenna in communication with the optical transceiver;
a second antenna; and
a portable power supply coupled to the second antenna;
wherein the portable power supply is for communicating electromagnetic energy
to the first antenna upon the second antenna receiving the electromagnetic signal; and
wherein the optical transceiver initiates optical transmission upon the first
antenna receiving an electromagnetic signal.

23. (Currently Amended) The smart card system of claim 22, further comprising a
power converter coupled to the first antenna, wherein the power converter is for providing an
output voltage to the electronic processor in response to the electromagnetic signal.

24. (Currently Amended) The smart card system of claim 23, ~~further~~
~~comprising; wherein a~~ the ~~second antenna is~~ wirelessly coupled to the power converter; ~~and~~
~~a portable power supply coupled the second antenna;~~
~~wherein the portable power supply is for communicating electromagnetic energy to the~~
~~first antenna upon the second antenna receiving the electromagnetic signal.~~

25. (Currently Amended) The smart card system of claim 24, further comprising:
a battery ohmically detached from the smart card; and
an oscillator in communication with the battery and the second antenna.

26. (Currently Amended) The smart card system of claim 24, further comprising:
a switch in communication with the portable power supply;
wherein the switch is for enabling the communication of electromagnetic energy from the portable power supply to the smart card.

27. (Currently Amended) The smart card system of claim 24, further comprising a housing with a retainer for receiving the smart card.

28. (Currently Amended) The smart card system of claim 27, further comprising:
a latch mechanically coupled to the housing;
wherein the latch is for enabling the portable power supply when the smart card is inserted in the latch.

29. (Currently Amended) The smart card system of claim 22, wherein the electronic processor further comprises a:

CPU;
a memory circuit; and
an input/output controller.

30. (Currently Amended) The smart card system of claim 29, wherein the memory circuit is selected from the group consisting of a ROM, NVM and RAM.

31. (Currently Amended) A smart card reader, comprising:
an optical transceiver;
an electronic processor in communication with the optical transceiver; and
an antenna in communication with the optical transceiver;

wherein the optical transceiver is enabled to receive optical communication from an optical smart card upon the antenna transmitting an electromagnetic signal; and
wherein the optical transceiver is located on a computer screen.

32. (Original) The smart card reader of claim 31, further comprising:
an oscillator coupled to the antenna and to a power supply;
wherein the oscillator is for generating the electromagnetic signal at a first frequency.

33. (Cancelled).

34. (Currently Amended) An optical smart card system, comprising:
an optical smart card including:
a first optical transceiver;
a ~~second~~ first electronic processor in communication with the first optical transceiver; and
a first antenna in communication with the first optical transceiver; and
an optical smart card reader including:
a second optical transceiver;
a second electronic processor in communication with the second optical transceiver; ~~and~~
a second antenna in communication with the second optical transceiver;
a power converter coupled to the first antenna;
a third antenna wirelessly coupled to the power converter; and
a portable power supply coupled to the third antenna;
wherein the power converter is for providing an output voltage to the first
electronic processor in response to the electromagnetic signal;

wherein the portable power supply is for communicating electromagnetic energy to the first antenna upon the third antenna receiving the electromagnetic signal; and

wherein the first optical transceiver initiates optical transmission upon the first antenna receiving an electromagnetic signal from the second antenna.

35. (Original) The optical smart card system of claim 34, wherein the second optical transceiver is enabled to receive optical communication from the first optical transceiver upon the second antenna transmitting the electromagnetic signal.

36. (Cancelled).

37. (Cancelled).

38. (Currently Amended) The optical smart card system of claim ~~36~~34, further comprising:

a battery ohmically detached from the optical smart card; and
an oscillator in communication with the battery and the third antenna.

39. (Currently Amended) The optical smart card system of claim ~~36~~34, further comprising:

a switch in communication with the portable power supply;
wherein the switch is for enabling the communication of electromagnetic energy from the portable power supply to the smart card.

40. (Currently Amended) The optical smart card system of claim 34, further comprising a housing with a retainer for receiving the optical smart card.

41. (Currently Amended) The optical smart card system of claim 40, further comprising:
a latch mechanically coupled to the housing;
wherein the latch is for enabling the a portable power supply when the optical smart card is inserted in the latch.

42. (Currently Amended) The optical smart card of claim 34, wherein the first and second electronic processors, each comprise:
a CPU;
a memory circuit; and
an input/output controller.

43. (Original) The optical smart card of claim 42, wherein the memory circuit is selected from the group consisting of a ROM, NVM and RAM.

44. (Original) The optical smart card system of claim 34, further comprising an external power supply for transmitting electromagnetic signals to the optical smart card for energizing the optical smart card.

45. (Currently Amended) The optical smart card system of claim 34, wherein the optical smart card reader transmits the electromagnetic signal to the optical smart card for energizing the optical smart card and initiating an optical communication ~~transaction~~ transmission between the optical smart card and the optical smart card reader.

46. (Original) The optical smart card system of claim 34, wherein the second optical transceiver is located on a computer screen.

47. (Currently Amended) A method of transacting information in an optical smart card system including an optical smart card reader and an optical smart card, comprising:
transmitting an electromagnetic power signal to the optical smart card; ~~and~~
initiating optical communication between the optical smart card and the optical smart card reader upon the optical smart card receiving the electromagnetic power signal; and
transmitting an electromagnetic signal from an external power supply other than an optical smart card reader power supply.

48. (Original) The method of claim 47, further comprising transmitting an electromagnetic signal from the optical smart card reader.

49. (Cancelled).

50. (Original) The method of claim 47, further comprising supplying power to the optical smart card from a portable power supply, comprising:
generating a first electromagnetic signal having a first frequency; and
radiating the first electromagnetic signal to the optical smart card tuned to the first frequency from a portable power supply ohmically detached from the optical smart card.

51. (Original) The method of claim 50, further comprising:
receiving a second electromagnetic signal; and
enabling the wireless radiation of the first electromagnetic signal upon receiving the second electromagnetic signal.

52. (Original) The method of claim 50, further comprising enabling the wireless radiation of the first electromagnetic signal upon receiving a signal from a switch contact closure.

C. Remarks

In response to the Office Action dated February 17, 2004, Applicant respectfully requests favorable reconsideration of this application based on the foregoing claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

At page 2, paragraph 2 of the Office Action claims 24-28, 34, 38-42, and 45 were objected to for various informalities. Applicant respectfully traverses this objection based on the amendments above. Applicant further submits that the objection is now moot and respectfully requests withdrawal of the objection. Furthermore, please note that the above amendments are made to overcome the objection and are not made to overcome the cited art and applicant submits that such amendments should not be construed in a limiting manner.

At page 3, paragraph 4 of the Office Action claims 22, 23, 29-35, and 44-49 were rejected under the judicially created doctrine of obviousness-type double patenting (nonstatutory double patenting) as being unpatentable over claims 1, 4-7, 12, 14, and 16 of U.S. Patent No. 6,604,685. Applicant respectfully traverses the rejection. Claims 33 and 49 are cancelled and therefore the rejection with respect thereto is moot. Applicant submits herewith a terminal disclaimer in compliance with 37 C.F.R 1.321(c) to overcome the nonstatutory double patenting rejection with respect to claims 22, 23, 29-32, 34, 35, and 44-48.

At page 6, paragraph 5 of the Office Action claims 47-52 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting (nonstatutory double patenting) as being unpatentable over claims 39-41 and 51-52 of co-pending Application No. 09/897,235. Applicant respectfully traverses the rejection. At the outset, Applicant wishes to inform the Examiner that the co-pending Application No. 09/897,235 forming the basis for the nonstatutory double patenting rejection has since issued as U.S. Patent No. 6,705,531. Claim 49 is cancelled and therefore the rejection with respect thereto is moot. Applicant submits herewith

a terminal disclaimer in compliance with 37 C.F.R 1.321(c) to overcome the provisional nonstatutory double patenting rejection based with respect to claims 47-48 and 50-52.

At page 7, paragraph 7 of the Office Action claims 22, 23, 29-32, 34-36, 40, 42-45, 47, and 49 are rejected under 35 U.S.C. § 102(b) as being anticipated by Englehardt (U.S. Patent No. 5,196,682). Applicant respectfully traverses the rejection based on the amendments above.

Claims 36 and 49 are cancelled without prejudice or disclaimer to the subject matter contained therein and the rejection with respect thereto is moot.

Claim 22 has been amended to include:

a second antenna; and
a portable power supply coupled to the second antenna;
wherein the portable power supply is for communicating
electromagnetic energy to the first antenna upon the second
antenna receiving the electromagnetic signal

Applicant respectfully submits that the cited art of record fails to disclose an optical card system comprising this feature. Therefore, the anticipation rejection with respect to claim 22, as amended, and claims 23, 29, and 30, which depend therefrom, should be withdrawn. Applicant further submits that the cited art of record, taken alone or in combination, fails to disclose, teach or suggest an optical card system comprising this feature. Therefore, Applicant submits that claims 22, and claims 23, 29, and 30 are now in condition for allowance.

Claim 31 has been amended to include:

wherein the optical transceiver is located on a computer
screen.

Applicant respectfully submits that the cited art of record fails to disclose a smart card reader comprising this feature. Therefore, the anticipation rejection with respect to claim 31, as amended, and claim 32, which depends therefrom, should be withdrawn. Applicant further submits that the cited art of record, taken alone or in combination, fails to disclose, teach or suggest a smart card reader comprising this feature. Therefore, Applicant submits that claims 31 and 32 are now in condition for allowance.

Claim 34 has been amended to include:

a power converter coupled to the first antenna;
a third antenna wirelessly coupled to the power converter;
and
a portable power supply coupled to the third antenna;
wherein the power converter is for providing an output
voltage to the first electronic processor in response to the
electromagnetic signal;
wherein the portable power supply is for communicating
electromagnetic energy to the first antenna upon the third
antenna receiving the electromagnetic signal

Applicant respectfully submits that the cited art of record fails to disclose an optical smart card system comprising this feature. Therefore, the anticipation rejection with respect to claim 34, as amended, and claims 35, 40, and 42-45, which depend therefrom, should be withdrawn. Applicant further submits that the cited art of record, taken alone or in combination, fails to disclose, teach or suggest an optical smart card system comprising this feature. Claim 36 is cancelled and the anticipation rejection with respect thereto is moot. Therefore, Applicant submits that claims 34, and claims 35, 40, and 42-45 are now in condition for allowance.

Claim 47 has been amended to include:

transmitting an electromagnetic signal from an external
power supply other than an optical smart card reader power
supply.

Applicant respectfully submits that the cited art of record fails to disclose a method of transacting information in an optical smart card system comprising this feature. Therefore, the anticipation rejection with respect to claim 47, as amended, and claim 48, which depends therefrom, should be withdrawn. Applicant further submits the cited art of record, taken alone or in combination, fails to disclose, teach or suggest an optical smart card system comprising this feature. Therefore, Applicant submits that claims 47 and 48 are now in condition for allowance.

Claims 24-28, 37-39, and 41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has cancelled claims 36 and 37 and has

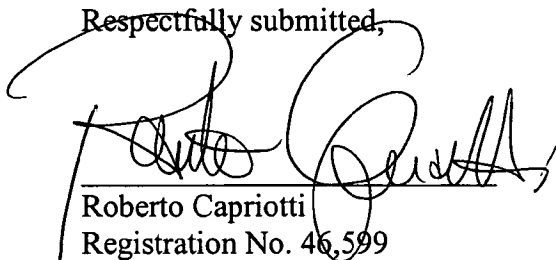
included all of the features of these claims in amended independent claim 34. Accordingly, and in addition to the reasons discussed above, Applicant submits that claim 34, as amended, and claim 35, which depends therefrom are now in condition for allowance.

Applicant is not otherwise conceding, however, the correctness of the Office's rejection with respect to any of the dependent claims discussed above and hereby reserves the right to make additional arguments as may be necessary because the dependent claims contain additional features that further distinguish them from the cited references, taken alone or in combination. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above

D. Conclusion

As all of the issues raised by the Examiner have been addressed, the Applicants respectfully request favorable reconsideration of this application and the issuance of a notice of allowance with respect to the pending claims. If the Examiner believes that the present application is in condition for disposition other than allowance, Applicants respectfully request that the Examiner contact the undersigned at the telephone number listed below so that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,



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